



City Council Agenda

Council President
Ken Steitz

Councilmembers

Tom Boyajian
Garry Bredefeld
Chris Mathys, Acting Council President

Henry Perea
Sal Quintero
Daniel Ronquillo

City Manager
Jeffrey M. Reid

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, NOVEMBER 30, 1999

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON (www.ci.fresno.ca.us). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

9:00 A.M. COUNCIL ROLL CALL

Invocation by Pastor Victor Thasiah of the Pilgrim Armenian Congressional Church

Pledge of Allegiance to the Flag

Proclamation of "CANDLELIGHT CHRISTMAS ON HUNTINGTON BOULEVARD DAY" - Councilmember Quintero

Presentation by Cooper Middle School

Proclamation of "STEVE POWERS DAY" - Councilmember Ronquillo

Presentation of Resolutions of Commendation to Tenaya Middle School's Girls Softball and Boys Basketball Teams -

COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve minutes of November 16, 1999

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS
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9:15 A.M. TEFRA HEARING as required by Section 147 (f) of the Internal Revenue Code of 1986 concerning an installment sale financing by the California Statewide Communities Development Authority to benefit the Sequoia Community Health Foundation, Inc.

Action Taken:

- 1. RESOLUTION** - Approving an installment sale financing by the California Statewide Communities Development Authority to benefit the Sequoia Community Health Foundation, Inc.

Action Taken:

9:30 A.M. HEARING to consider Rezoning Application No. R-99-35, filed by Gary Gentile for .26 acre of real property located at 2432 N. Fruit Avenue

Action Taken:

- 1. BILL** - Amending the Official Zone Map to rezone from the P/cz zone district to the R-1 zone district

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

10:00 A.M. HEARING regarding City of Fresno Community Facility District No. 2, Annexation No. 14 (Tract No. 4866)

Action Taken:

1. **RESOLUTION** - Annexing territory to Community Facilities District No. 2 and authorizing the levy of a special tax

Action Taken:

2. **RESOLUTION** - Calling a special mailed-ballot election

Action Taken:

3. **RESOLUTION** - Declaring election results

Action Taken:

4. * **BILL** - Levying a special tax for the property tax year 2000-2001 and future tax years within and relating to City of Fresno Community Facilities District No. 2, Annexation No. 14

Action Taken:

11:00 A.M. CONTINUED HEARING to consider Plan Amendment No. A-99-17 and Rezoning Application No. R-99-26 and environmental findings, filed by Cambridge Homes (on behalf of Jill and J. Richter), for 9.6 acres of real property located on the northeasterly side of W. Spruce Avenue, west of N. Blythe Avenue and east of N. Milburn Avenue

Action Taken:

1. Consider Environmental Assessment/Negative Declaration No. A-99-17, R-99-26

2. **RESOLUTION** - Amending the Bullard Community Plan

Action Taken:

3. **BILL** - Amending the Official Zone Map to rezone from the R-2-A/UGM/cz to the R-1/UGM zone district

Action Taken:

2:00 P.M.#1 **DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)**

2:00 P.M.#2 **CLOSED SESSION**

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, Subdivision (a)

1. **Case Name:** Marguerite Treweek v. City of Napa (Amicus Brief)

2. **Case Name:** Yolanda Moralez v. City of Fresno

3. **Case Name:** Armando Garcia v. City of Fresno

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

- 2:30 P.M.** Report and discussion regarding incorporating Fold-Pak located at 1854 E. Home Avenue into the enterprise zone - Councilmember Perea
(Initiated at the 11/9/99 Council meeting)
Action Taken:
1. **RESOLUTION** - Placing property located at 1854 E. Home Avenue into the enterprise zone
Action Taken:
- 2:45 P.M.** Appearance by Michael Julian Gomez to discuss a conflict with certain police officers in the Northeast Division
Action Taken:
- 2:50 P.M.** Appearance by Jonathan Richter to discuss and establish guidelines for the legal possession and cultivation of medical marijuana within the City of Fresno
Action Taken:
- 2:55 P.M.** Appearance by David R. Pepper to re-address the speeding occurring on Van Ness Avenue
Action Taken:
- 3:00 P.M.** Request additional funding for completion of Downtown Fresno Water Tower. Status report to be given by Lloyd Kennedy, Fresno Visitors and Convention Bureau - Councilmember Ronquillo
Action Taken:
- 4:00 P.M.** Report and direction regarding privatization of City services - Councilmember Perea
Action Taken:

1A. GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)

1. Approval of an agreement to allow Pacific Bell Wireless, LLC, to place communications equipment on the tower at Radio Park
Action Taken:
2. * **RESOLUTION** - 54th amendment to AAR No. 99-181 appropriating \$74,400 of federal asset forfeiture funds to pay for the continued operation of the Weed and Seed Program *(Requires 5 affirmative votes)*
Action Taken:
3. * **RESOLUTION** - 53rd amendment to AAR No. 99-181 appropriating \$39,200 of SB 853 funds to fund the costs of the MAGEC Pilot Project *(Requires 5 affirmative votes)*
Action Taken:

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

- a. * **RESOLUTION** - 4th amendment to PAR No. 99-182 adding one police officer position to work in MAGEC Pilot Project

Action Taken:

1A. **GENERAL CONSENT CALENDAR CONTINUED**

4. **RESOLUTION** - Approving the summary vacation of a portion of a public water main easement located on River Park Properties' Shopping Center near Nees Avenue and Freeway 41

Action Taken:

5. Approve amendment to agreement with Boyle Engineering Corporation to provide landscape architectural services for a park design at the Fresno Sanitary Landfill

Action Taken:

6. * **RESOLUTION** - 48th amendment to AAR No. 99-181 appropriating \$4,900 obtained as payment from the manufacturer for certain warranty work performed by the Fire Department Repair and Maintenance Section (*Requires 5 affirmative votes*)

Action Taken:

7. Authorize the City to enter into a contract with the County of Fresno in order for the City to provide supportive services under the Youth Community Challenge Program of three (3) years

Action Taken:

8. Approve extension of Temporary Use Permit issued by the City of Fresno to Air Terminal Services, Inc. to operate an espresso bar at Fresno Yosemite International Airport/Fresno Air Terminal

Action Taken:

9. Approve Amendment No. 3 to Aviation Lease and Agreement between the City and Ruiz Avionics, whereby, in addition to other matters addressed in the amendment, a portion of the leased premises at Fresno Chandler Downtown Airport reverts to City and the lease term is extended for a period of nine (9) years

Action Taken:

1B. **CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

- A. Approve revised wording for ballot initiative relating to Voluntary Water Meters Ballot Measure

Action Taken:

1. * **RESOLUTION** - Submitting a proposed charter amendment to City electors relating to voluntary water meters and rescinding Resolution No. 99-145, adopted on 5/26/99

Action Taken:

5. **CITY COUNCIL**

- A. Approve appointment of Wilma C. Quan to the Tower District Design Review Committee -

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

Councilmember Boyajian (*For adoption*)

Action Taken:

5. **CITY COUNCIL ITEMS CONTINUED**

- B. Proposed appointment of James Klein to the Tower District Specific Plan Implementation - Councilmember Boyajian (*For introduction*)
Action Taken:
- C. Direct City Attorney to draft a resolution giving authority to the Fresno County Health Department for enforcement of Labor Code Section 6404.5 (AB 3037) in the City of Fresno regarding the California Smoke-Free Workplace Law - Council President Steitz
Action Taken:
1. **RESOLUTION** - Authorizing Fresno County Health Department to enforce Labor Code Section 6404.5 (AB 3037) relating to California Smoke-Free Workplace Law
Action Taken:
- D. * **RESOLUTION** - 57th amendment to AAR No. 99-181 appropriating \$1,200 of District 5's general fund infrastructure budget to fund the Convention Center expenses for the House Insurance and Counseling Advisory Program (*Requires 5 affirmative votes*) - Councilmember Quintero
Action Taken:
- E. * **RESOLUTION** - 56th amendment to AAR No. 99-181 appropriating \$5,000 of District 1's, \$500 of District 2's and \$2,500 of District 4's general fund infrastructure budget to fund the Van Ness garage fuel tank replacement (*Requires 5 affirmative votes*) - Councilmember Boyajian and Acting President Mathys
Action Taken:
- F. * **RESOLUTION** - 55th amendment to AAR No. 99-181 appropriating \$200 of District 1's, general fund infrastructure budget to fund the Fresno City College Partners in Pride for Neighborhood Revitalization (*Requires 5 affirmative votes*) - Councilmember Boyajian
Action Taken:
- G. Receive staff report on the status of the Request for Proposals (RFP) for red light camera enforcement in Fresno - Councilmember Bredefeld
Action Taken:
1. Direct City Manager, or designee, to report to Council on January 4, 2000, on status of RFP and other related matters
Action Taken:
2. Appoint a committee consisting of Councilmembers to meet with County Board of Supervisors to explore an agreement which will allow the City of Fresno to use the City's proceeds from fines and forfeitures from red-light running citations issued by the Fresno Police Department for the purpose of funding the camera enforcement program and providing additional revenue

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

for traffic enforcement

Action Taken:

5. **CITY COUNCIL ITEMS CONTINUED**

- H. Status report from City Manager and Project Manager on completion of Exhibit Hall Expansion Project and Council action to authorize and approve any and all necessary action for completion of project - Councilmembers Quintero and Perea

Action Taken:

- I. Appearance by Ivy Roberts and members of Wilburforce University Committee requesting City assistance for Wilburforce University - Councilmember Ronquillo

Action Taken:

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

Dec. 7 - 5:00 P.M. Christmas Tree Lighting Ceremony - Mayor Patterson (2nd Floor Foyer)

Dec. 14 - 8:30 AM - 10:00 A.M. - Reserved

Dec. 14 - 10:00 A.M. **HEARING** re: Plan Amendment No. P.A. 99-16, Rezone Appl. No. R-99-25, CUP 99-111, filed by the City of Fresno, Public Works Dept. re: closure of City landfill and development of regional park and sports center

Dec. 14 - 10:30 A.M. **HEARING** re: Community Facilities District No. 2, Annexation 15

Dec. 14 - 2:30 P.M. Discussion re: preparation of ballot measure amending the City Charter to require appointment of City Manager be approved by Council - Councilmember Ronquillo

Dec. 14 - 3:00 P.M. **WORKSHOP** on project labor agreements - Councilmember Perea

Dec. 14 - 4:00 P.M. **REDEVELOPMENT AGENCY HEARING** re: adoption of 5-year AB 1290 Implementation Plans

Dec. 21 - NO MEETING - CHRISTMAS WEEK

Dec. 28 - NO MEETING - NEW YEAR'S WEEK

Jan. 4 - **WORKSHOP** on air quality and introduction of Healthy Air and Smog Prevention

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

Ordinance - Councilmember Perea

Jan. 4 -

Report re: designating specific areas within the Veteran's Memorial Auditorium for those who rent the theater - Councilmember Boyajian

Jan. 25 -

10:00 A.M.

HEARING re: Community Facilities District No. 2, Annexation 16

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***